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City Attorney  
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Attorneys for Defendants  
CITY AND COUNTY OF SAN FRANCISCO  
AND KIMBERLY MARIE MOLINA

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RAY M. MILES,

Plaintiff,

vs.

CITY AND COUNTY OF SAN  
FRANCISCO, MARIE KIM and DOES 1  
TO 100, inclusive,

Defendants.

Case No. CV-08-2736 CW

**STIPULATION AND [PROPOSED]  
ORDER RE SERVICE AND ANSWER  
OF DEFENDANT KIMBERLY MARIE  
MOLINA (ERRONEOUSLY NAMED  
HEREIN AS MARIE KIM)**

Date Action Filed: January 16, 2008  
Trial Date: None Set

1 The parties hereby agree and stipulate as follows:

2 1. Defendant Kimberly Marie Molina (erroneously sued herein as Marie Kim) is  
3 deemed to have been personally served with summons and complaint.

4 2. The answer (including without limitation the denial, affirmative defenses, and prayer  
5 for relief) filed in Superior Court by the City and County of San Francisco shall also be deemed to  
6 be the answer of Defendant Kimberly Marie Molina. Defendant Kimberly Marie Molina therefore  
7 will not need to file an answer in addition to the City's answer filed in Superior Court.

8 Dated: September 2, 2008

9 DENNIS J. HERRERA  
10 City Attorney  
11 JOANNE HOEPER  
12 Chief Trial Deputy  
13 SCOTT D. WIENER  
14 Deputy City Attorney

15 -/s/- Scott D. Wiener

16 By: \_\_\_\_\_  
17 SCOTT D. WIENER  
18 Attorneys for Defendants  
19 CITY AND COUNTY OF SAN FRANCISCO AND  
20 KIMBERLY MARIE MOLINA

21 Dated: September 2, 2008

22 WINSLOW & HURTUBISE

23 -/s/- Gregory F. Winslow

24 By: \_\_\_\_\_  
25 GREGORY F. WINSLOW  
26 Attorneys for Plaintiff RAY MILES

27 SO ORDERED.

28 \_\_\_\_\_  
HON. CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

\_\_\_\_\_  
DATE

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6 be the answer of Defendant Kimberly Marie Molina. Defendant Kimberly Marie Molina therefore  
7 will not need to file an answer in addition to the City's answer filed in Superior Court.

8 Dated: September 4, 2008

9 DENNIS J. HERRERA

10 City Attorney

11 JOANNE HOEPER

12 Chief Trial Deputy

13 SCOTT D. WIENER

14 Deputy City Attorney

15 By: 

16 SCOTT D. WIENER

17 Attorneys for Defendants

18 CITY AND COUNTY OF SAN FRANCISCO AND

19 KIMBERLY MARIE MOLINA

20 Dated: September 2, 2008

21 WINSLOW & HURTUBISE

22 -/s/- Gregory F. Winslow

23 By: \_\_\_\_\_

24 GREGORY F. WINSLOW

25 Attorneys for Plaintiff RAY MILES

26 SO ORDERED.

27 \_\_\_\_\_  
28 HON. CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

\_\_\_\_\_  
DATE

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2. The answer (including without limitation the denial, affirmative defenses, and prayer for relief) filed in Superior Court by the City and County of San Francisco shall also be deemed to be the answer of Defendant Kimberly Marie Molina. Defendant Kimberly Marie Molina therefore will not need to file an answer in addition to the City's answer filed in Superior Court.

Dated: September 2, 2008

DENNIS J. HERRERA  
City Attorney  
JOANNE HOEPER  
Chief Trial Deputy  
SCOTT D. WIENER  
Deputy City Attorney

-/s/- Scott D. Wiener

By: \_\_\_\_\_

SCOTT D. WIENER  
Attorneys for Defendants  
CITY AND COUNTY OF SAN FRANCISCO AND  
KIMBERLY MARIE MOLINA

Dated: September 2, 2008

WINSLOW & HURTUBISE

-/s/- Gregory F. Winslow  
By: \_\_\_\_\_  
GREGORY F. WINSLOW  
Attorneys for Plaintiff RAY MILES

SO ORDERED.

HON. CLAUDIA WILKEN  
UNITED STATES DISTRICT JUDGE

DATE